



UNITED STATES CONGRESSMAN
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Serving Colorado's 2nd Congressional District

FY24 Community Project Funding Guide

Deadline: March 17th

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AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES

Accounts

Agricultural Research Service, Buildings and Facilities:

The Agricultural Research Service (ARS) owns and operates laboratories and facilities across the United States. Many of these laboratories/facilities are decades old, have outlived their functional lifespan, and are badly in need of major repairs, renovation, or replacement. Requests can assist in the acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture. ***Requests must be for ARS-owned or operated facilities.***

Please provide details on the research to be conducted, why the research is a high priority, as well as details on the modernization and why it is critical in carrying out the research.

We recommend demonstrating how this project has a Federal nexus because it is for the purposes authorized in 7 U.S. Code section 2250.

Natural Resources Conservation Service, Conservation Operations:

The Natural Resources Conservation Service (NRCS) supports private landowners, conservation districts, and other organizations to conserve, maintain, and improve the Nation's natural resources. Examples of specific objectives include reducing soil erosion, improving soil health, enhancing water supplies, improving water quality, increasing wildlife habitat, and reducing damage caused by floods and other natural disasters.

Please provide details on the work to be done, including if the project will conduct surveys, investigations, or research, and if there is a plan to publish the results of any such work. Members should also describe any preventive measures to be taken, such as engineering operations, methods of cultivation, or changes in use of land.

We recommend demonstrating how this project has a Federal nexus because it is for the purposes authorized by the Soil Conservation and Allotment Domestic Act of 1935, 16 U.S. Code sections 590a-590d and 590f-g.

House CPFs in the account averaged about \$1.3 million in FY23.

For FY24, the Appropriations Committee will only consider projects for funding recipients that are State, local, and Tribal organizations, or public conservation districts. ***Non-profit recipients will not be considered.***

To ensure your projects meet eligibility requirements for the Natural Resources Conservation Service account, you must consult with your respective State Conservation office which can be found here: <https://www.nrcs.usda.gov/conservationbasics/conservation-by-state/state-offices>

Rural Development, Rural Housing Service, Community Facility Grants:

Grants to purchase, construct, or improve essential community facilities, to purchase equipment, and pay other related project expenses. Examples of eligible projects include but are not limited to: medical or dental clinics, healthcare facilities, police or fire departments, and public works vehicles.

Priority will be given to essential projects, such as those focused on public health and safety.

Any project **must** serve a rural area as specified in 7 CFR 3570.53 (rural areas including cities, villages, townships and Federally Recognized Tribal lands with no more than 20,000 residents).

You **must** demonstrate community support. Please provide the most complete description of the project as possible, including details on all proposed use of funds, activities that will occur, timeline, and detailed information on the complete service territory.

Such requests are also subject to cost share requirements specified in 7 CFR 3570.63(b). Please review program regulations carefully.

Community Facilities grants cannot be used to pay initial operating expenses or annual recurring expenses, refinance existing debt, pay interest, build or repair facilities in non-rural areas, or pay for construction costs of facilities that will be used for commercial rental space.

We recommend demonstrating how this project has a Federal nexus because it is for the purposes authorized in Section 306 of the Consolidated Farm and Rural Development Act, 7 U.S. Code section 1926(a).

For fiscal year 2023, the average Community Facilities CPF award was about \$1.3 million.

To ensure your projects meet eligibility requirements for the Rural Development account, you must consult with your respective State Rural Development office which can be found here: <https://www.rd.usda.gov/about-rd/state-offices>

Rural Development, Rural Utilities Service, ReConnect Program:

ReConnect broadband pilot grants facilitate broadband deployment in rural areas. Grant funds can be used for the costs of construction, improvement, or acquisition of facilities and equipment needed to provide broadband service to rural areas without sufficient broadband access, defined as 25 Mbps downstream and 3 Mbps upstream.

The area must be rural and lack sufficient access to broadband service. A rural area is any area which is not located within a city, town, or incorporated area that has a population of greater than 20,000 inhabitants. Sufficient access to broadband is defined as greater than 90% of any rural area in which households have fixed, terrestrial broadband service delivering at least 25 Mbps downstream and 3 Mbps upstream. Mobile and satellite services will not be considered in making the determination of sufficient access to broadband.

Stand-alone middle-mile projects are not eligible under the ReConnect Program. However, middle-mile facilities are eligible if they are needed to bring sufficient broadband service to all premises in the area.

Please include the number of households, businesses, or farms that will be served in the area, what the performance of the service to be offered will be, and whether healthcare or educational facilities will be served.

We recommend demonstrating how this project has a Federal nexus as it is for the same purposes authorized in the pilot program established by section 779 of division A of the Consolidated Appropriations Act, 2018 (Public Law 115–141).

For fiscal year 2023, the average ReConnect CPF award was nearly \$1.2 million.

Please note that all policies and procedures apply, including environmental and related reviews and the non-federal cost share requirement of 25% of the overall project cost. Policies and procedures can be found at <https://go.usa.gov/xexPT>.

To ensure your projects meet eligibility requirements for the Rural Development account, you must consult with your respective State Rural Development office which can be found here: <https://www.rd.usda.gov/about-rd/state-offices>

Rural Development, Rural Utilities Service, Water and Waste Grants:

This is a new account. The Water and Waste Disposal Grant Program may be used to finance the acquisition, construction or improvement of drinking water sourcing, treatment, storage and disposal; sewer collection, transmission, treatment and disposal; solid waste collection, disposal and closure; and storm water collection, transmission, and closure.

Please provide details on the number of households and businesses served and details of the exact work to be completed.

Eligible entities include rural areas and towns with a population of 10,000 or less and Tribal lands in rural areas. ***Potential recipients will be required to provide a 25% non-federal cost share.***

We recommend demonstrating how this project has a Federal nexus because it is for the purposes authorized in Section 306 of the Consolidated Farm and Rural Development Act, 7 U.S. Code section 1926(a)(2).

To ensure your projects meet eligibility requirements for the Rural Development account, you must consult with your respective State Rural Development office which can be found here:
<https://www.rd.usda.gov/about-rd/state-offices>

Rural Development, Rural Utilities Service, Distance Learning and Telemedicine Grants:

The Distance Learning and Telemedicine program (DLT) helps rural residents better utilize the enormous potential of modern telecommunications and the internet for education and healthcare, two critical components of economic and community development. The DLT program helps rural communities acquire the technology and training necessary to connect educational and medical professionals with students, teachers, and patients in rural areas.

Grants may be used for audio and video equipment, broadband facilities that support distance learning or telemedicine (not actual broadband), computer hardware or network components/software, and acquisition of instructional programming.

We recommend demonstrating how this project has a Federal nexus because it is for the purposes authorized in Section 2331 of the Food, Agriculture, Conservation, and Trade Act of 1990, 7 U.S. Code section 950aaa.

Any requests are subject to all regulations governing the program which can be found at 7 CFR Part 1734. The program requires a 15% match that cannot come from another Federal source. Please provide as much detail as possible on how the award will be utilized, what equipment of service will be acquired and any information on population(s) served. The program is intended to serve rural areas with populations of 20,000 or less.

To ensure your projects meet eligibility requirements for the Rural Development account, you must consult with your respective State Rural Development office which can be found here:
<https://www.rd.usda.gov/about-rd/state-offices>

Application Requirements:

- The website address of the proposed recipient.
- If there are additional costs necessary to complete the project, have those been secured?
- For Rural Development projects, is the project for an eligible purpose and does it meet all eligibility requirements under current law?
- Does the entity plan to make grants to other entities from the funds provided and, if so, to whom?
- Why is the project a priority for the district? Briefly explain the community benefits.
- Has any funding for the project been included in any presidential budget and, if so, how much, in which fiscal year, and in which agency or agencies and program(s)?

- Has the project received Federal funding before and, if so, how much, when, and from which agency or agencies and program(s)?
- Have you contacted the State Rural Development Office/State Conservation Office to discuss the project and confirm eligibility?
- For ARS B&F only, what is the estimated start date of the project? How soon could the feasibility/engineering design phase commence? [mm/yy]
- For ARS B&F only, does the project have distinct and separable phases?
- For ARS B&F only, what is the estimated completion date of the project? When does completion of construction occur? [mm/yy]
- For ARS B&F only, have you verified that this facility is owned or operated by the Agricultural Research Service?
- For ReConnect requests only, please provide relevant information, such as the number of households, businesses, or farms that would be served, what the performance of the service to be offered will be, and whether healthcare or educational facilities will be served.
- For Conservation Operations requests only, briefly describe how the project will reduce soil erosion, enhance water supplies, improve water quality, increase wildlife habitat, or other objectives that will help conserve, maintain, and improve natural resources.
- For Water and Waste requests only, provide relevant information, such as the number of households, businesses, or farms that would be served.

COMMERCE, JUSTICE, SCIENCE, AND RELATED APPROPRIATIONS

Accounts

NIST Scientific & Technical Research:

NIST Scientific and Technical Research projects support standards-related research and technology development. Funding must be for activities consistent with, and supportive of, NIST's mission and aligned with one or more of the functions and activities described in section 272 of title 15, United States Code. **Note:** Funding for building construction or renovation projects is **not** an eligible use of NIST Scientific and Technical Research Community Project Funding.

Supplemental Questions for NIST Scientific and Technical Research project requests:

- Is the recipient entity a non-profit organization as described under section 501(c)(3) of the Internal Revenue Code of 1986? [yes/no]
- Can this project spend a smaller amount of appropriated funds within 12 months of the enactment of the appropriations act? [yes/no] If yes, please provide any details that may be helpful for understanding the scalability of the project.
- Are you asking another Member to make a request for this same project?
- Please provide the location of this project, in the format 'City (or County), State'.

NOAA Coastal Zone Management:

Coastal Zone Management projects support the protection, restoration, and responsible development of our nation's diverse coastal communities and resources. Funding must be for activities consistent with, and supportive of, NOAA's mission and aligned with one or more of the purposes described in the Coastal Zone Management Act of 1972 (16 U.S.C. § 1451 et seq.).

Coastal Zone Management projects are subject to any applicable cost-share required by law under the Coastal Zone Management Program.

Supplemental Questions:

- Is the recipient entity a non-profit organization as described under section 501(c)(3) of the Internal Revenue Code of 1986? [yes/no]
- Can this project spend a smaller amount of appropriated funds within 12 months of the enactment of the appropriations act? [yes/no] If yes, please provide any details that may be helpful for understanding the scalability of the project.
- Are you asking another Member making a request for this same project?

- Please provide the location of this project, in the format ‘City (or County), State.’

DOJ Office of Justice Programs, Byrne Justice Assistance Grants (JAG):

Byrne Justice projects assist state, local, and Tribal law enforcement efforts to enforce laws, address violent crime, increase prosecutions, improve the criminal justice system (including the correctional system), provide victims’ services, and other related activities.

Funding must be for activities consistent with, and supportive of, the Office of Justice Programs’ mission and aligned with one or more of the purposes described in the Byrne Justice Assistance Grants (JAG) program, section 501 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10152).

The Appropriations Committee will prioritize projects focused on improving the effectiveness of law enforcement, increasing officer safety, curbing the opioid crisis, and other strategic priorities.

Projects with non-profit recipients may be eligible, so long as the purpose is to carry out work that closely aligns with the purposes of the Byrne JAG program. Such projects will be closely examined.

Requirements:

- Awarded grants will be subject to the requirements of 2 CFR Part 200 and the [DOJ Grants Financial Guide](#).
- Below are the links to the Department’s guidance and frequently asked questions regarding the Byrne-JAG program, which may help guide you in gauging the eligibility of a proposed Byrne project:
 - <https://bja.ojp.gov/program/jag/overview>
 - <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/jag-faqs.pdf>
- Allowable costs are those costs consistent with the principles set out in 2 CFR Part 200, Subpart E, and those permitted by the grant program’s authorizing legislation.

Prohibited Uses:

34 U.S.C. 10152(d) provides:

- (d) Prohibited uses Notwithstanding any other provision of this Act, no funds provided under this part may be used, directly or indirectly, to provide any of the following matters:
 - (1) Any security enhancements or any equipment to any nongovernmental entity that is not engaged in criminal justice or public safety.
 - (2) Unless the Attorney General certifies that extraordinary and exigent circumstances exist that make the use of such funds to provide such matters essential to the maintenance of public safety and good order-
 - (A) vehicles (excluding police cruisers), vessels (excluding police boats), or aircraft (excluding police helicopters);
 - (B) luxury items;
 - (C) real estate;

- (D) construction projects (other than penal or correctional institutions); or
- (E) any similar matters.

In addition, the Chair will **not** support the use of Byrne Justice Community Project Funding for the following:

- Initiatives that involve the distribution of drug paraphernalia.
- Initiatives that undermine the 2nd Amendment or infringe upon rights guaranteed by the Constitution without due process of law.
- Initiatives that appear to be anti-law enforcement or unrelated to criminal justice.
- Larger projects for the construction or renovation of penal or correctional institutions that will exceed the capability of single-year funding.

Supplemental Questions for Byrne Justice project requests:

- Is the recipient entity a non-profit organization as described under section 501(c)(3) of the Internal Revenue Code of 1986? [yes/no]
- Can this project spend a smaller amount of appropriated funds within 12 months of the enactment of the appropriations act? [yes/no] If yes, please provide any details that may be helpful for understanding the scalability of the project.
- Is the purpose of this request the construction or renovation of a building? [yes/no]
- Are you aware of another Member making a request for this same project? [yes/no]
- Please provide the location of this project, in the format ‘City (or County), State’.

DOJ Community Oriented Policing Services (COPS) Technology & Equipment:

COPS Technology and Equipment projects support state, local, and Tribal law enforcement efforts to develop and procure the technology and equipment needed to respond more quickly and effectively, improve officer safety, increase transparency and enhance community relations.

Funding must be aligned with the purposes of section 1701(b)(8) of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10381(b)(8)). For example, projects to develop and/or acquire technologies and equipment, including interoperable communications technologies, modernized criminal record technology, and forensic technology, to assist State, Tribal, and local law enforcement agencies, including by reorienting the emphasis of their activities from reacting to crime to preventing crime and training law enforcement officers to use such technologies.

Eligible recipients for COPS Technology and Equipment Community Project Funding are State, Tribal, and local law enforcement agencies.

Funding for building construction or renovation projects is **not** an eligible use of COPS Technology and Equipment Community Project Funding.

Supplemental Questions for COPS Technology & Equipment project requests:

- Is the recipient a State, Tribal, or local law enforcement agency?

- Can this project spend a smaller amount of appropriated funds within 12 months of the enactment of the appropriations act? [yes/no] If yes, please provide any details that may be helpful for understanding the scalability of the project.
- Is the purpose of this request the construction or renovation of a building? [yes/no]
- Are you asking another Member making a request for this same project? [yes/no]
- Please provide the location of this project, in the format ‘City (or County), State’.

NASA Safety, Security and Mission Services:

NASA Safety, Security and Mission Services projects support science education, research, and technology development related to NASA’s mission.

Funding must be for activities advancing the purposes described in section 20102 of title 51, United States Code. Projects should focus on science, education, research, and technology development related to NASA’s mission.

Note: The following projects will not be considered for NASA Safety, Security and Mission Services Community Project Funding:

- Building construction or renovation projects.
- Medical research projects.

Supplemental Questions for NASA Safety, Security, and Mission Services project requests:

- Is the recipient entity a non-profit organization as described under section 501(c)(3) of the Internal Revenue Code of 1986? [yes/no]
- Can this project spend a smaller amount of appropriated funds within 12 months of the enactment of the appropriations act? [yes/no] If yes, please provide any details that may be helpful for understanding the scalability of the project.
- Is the purpose of this request the construction or renovation of a building? [yes/no]
- Are you asking another Member making a request for this same project? [yes/no]
- Please provide the location of this project, in the format ‘City (or County), State’.

MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED APPROPRIATIONS

Accounts

Department of Defense Military Construction Accounts:

Projects must meet the following criteria:

- Be included on an unfunded requirements/unfunded priorities list (UFR/UPL) from a military service or combatant command or the FY24-FY28 Future Years Defense Program (FYDP).
 - Projects suggested by an installation or unit commander will **not** be accepted.
- Have at least 35 percent of its design completed.
 - For projects that have not reached 35 percent design, planning and design funding can be requested.
- Able to be obligated in FY24.
- Submitted to the House Armed Services Committee (HASC) for inclusion in the FY24 National Defense Authorization Act or previously authorized.
- Have a DD Form 1391, which is DoD's justification for military construction projects. The Armed Services' Congressional Liaison Offices can help provide these documents.

Construction and Unspecified Minor Construction – Active Components:

Eligible Community Project Funding requests include both construction and unspecified minor military construction projects for active components in the accounts listed below. An unspecified minor military construction project is a project that has an approved cost equal to or less than \$9,000,000.

- Army
- Navy and Marine Corps
- Air Force and Space Force
 - Defense-Wide Agencies (Special Operations Command (SOCOM), Defense Logistics Agency (DLA), etc.)

Construction and Unspecified Minor Construction – Reserve Components:

Eligible Community Project Funding requests include both construction and unspecified minor military construction projects for Reserve Components in the accounts listed below. An unspecified minor military construction project is a project that has an approved cost equal to or less than \$9,000,000. ***Note: Some Reserve Component projects require a State funding match.*** Requesting offices must determine whether the proposed project requires such a match and if so, confirm that the project has current State matching funds. The Committee will **not** waive match requirements.

- Army National Guard
- Air National Guard
- Army Reserve
- Navy Reserve
- Air Force Reserve

Sources of Eligible MilConVA Community Project Funding:

Eligible Community Project Funding requests are those that are submitted to Congress by DoD, the Services, and Combatant Commanders.

Sources include:

- **Unfunded Requirements/Unfunded Priorities Lists (UFR/UPL)** – UFRs/UPLs are lists that the Services and Combatant Commanders provide to Congress identifying priority projects that were not included in the President’s budget request. UFRs/UPLs are available to Congress within ten days of the release of the President’s budget and can be found by contacting the Armed Services’ Congressional Liaison Offices.
- **Future Year Defense Program (FYDP)** – The FYDP is a projection of the forces, resources, and programs needed to support DoD operations over a five-year period. The FYDP is released simultaneously with the President’s budget request. The FY24-28 FYDP listing the military construction projects that may be eligible for Community Project Funding in FY24 can be obtained through the Under Secretary of Defense (Comptroller) website: <https://comptroller.defense.gov/Budget-Materials/>.

Supplemental Information:

For military construction Community Project Funding requests, the following information will be needed. Which Service is the project for?

- Project Title.
- Amount Requested for FY24.
- Program (Is the funding request for construction, unspecified minor construction, or planning and design?).
- Project Location (State/Territory Title).

- Installation Name (Location Title).
 - Is the project on the FY24-FY28 FYDP? If so, which fiscal year?
 - Is the project on a FY24 Service or Combatant Command unfunded requirements/unfunded priorities list (UFRs/UPLs)?
 - Does the project have a DD Form 1391?
 - If a Reserve Component project, does it require a State funding match?
 - Is this project at or above 35% design complete?
 - Can the project funds be obligated in FY24?
 - Has a corresponding request been submitted to HASC for inclusion in the FY24 NDAA?
- If a project was previously authorized in a NDAA, please provide the fiscal year.

ENERGY AND WATER DEVELOPMENT AND RELATED APPROPRIATIONS

A Community Project Funding request under these accounts is only necessary to request an increment of funding or scope above and beyond the President's budget request.

Accounts

- Army Corps of Engineers (Civil Works)
 - Investigations
 - Construction
 - Mississippi River and Tributaries
 - Operation and Maintenance
- Department of the Interior – Bureau of Reclamation
 - Water and Related Resources

Supplemental Information for All Accounts:

Please contact the relevant Corps of Engineers District Office or Bureau of Reclamation Regional Office to ask the following specific questions about the project of interest prior to applying.

- Is the project authorized? Is the scope of work to be funded within existing authorization?
 - **If YES**, the project may be eligible.
 - What is the statutory citation?
 - If the project is an individually authorized project or a project under the Corps of Engineers Continuing Authorities Program, include the statutory citation in the statement of federal nexus.
 - If the project is authorized in a manner other than an individual project authorization or under the Corps of Engineers Continuing Authorities Program, please specify.
 - **If NO, STOP** – the project is not eligible as a Community Project Funding request in the Energy and Water Development appropriations bill.
- What is the official project name?
- What is the fiscal year 2024 capability?
- For a Corps of Engineers project, what is the appropriations account in which to request funding?
- For a Corps of Engineers project, is this project a new start?
- For a Bureau of Reclamation project, is this project authorized only under section 4007, 4009(a), or 4009(c) of the Water Infrastructure Improvements for the Nation (WIIN) Act of 2016 (Public Law 114–322)?

- **If YES**, the project is **not** eligible as a Community Project Funding request in the Energy and Water Development appropriations bill.
- Please provide evidence of the project's merit and community support.

HOMELAND SECURITY AND RELATED APPROPRIATIONS

Please review the purpose and eligibility requirements, including any [environmental and historic preservation requirements](#), for these two grant programs to ensure proper consideration of the Member's request.

Please share a detailed project description for your project. For each project description, please include a detailed budget describing how the requested federal funding will be used and confirm the ability of the requesting entity to meet the cost-share requirement.

The PDM and EOC grant programs have cost-share requirements. Federal funding is available for up to 75 percent of the eligible activity costs. The remaining 25 percent of eligible activity costs must generally be derived from non-federal sources. ***The non-federal cost-share contribution is calculated based on the total cost of the proposed activity.*** For example, if the total cost is \$100,000 and the non-federal cost-share is 25 percent, then the non-federal contribution is \$25,000. For PDM grants, small, impoverished communities are eligible for up to a 90 percent federal cost-share for their mitigation planning and project sub-applications in accordance with the [Stafford Act](#) (42 U.S.C. § 5133(a),(h)(2)).

Please share a letter from the appropriate State or Territorial Administrative Agency (e.g., Ohio Emergency Management Agency), or Tribal government, confirming project eligibility and their willingness to administer the grant.

The legal name of the grant recipient you enter must be the State or Territorial Administrative Agency, or Tribal government, that would administer the grant.

Accounts

Pre-Disaster Mitigation Grants:

FEMA's PDM grants assist state, local, tribal, and territorial governments with planning and implementing sustainable, cost-effective measures to provide long-term, permanent risk reduction to individuals and property from future natural hazards, such as floods and wildfires, while reducing reliance on federal funding for future disasters.

For PDM grant requests, the database includes specific eligibility questions to ensure the proposed project meets FEMA's requirements as detailed in the most recent [Notice of Funding Opportunity](#) (NOFO). The subcommittee encourages offices to consult with their [State Hazard Mitigation Officers](#) when answering the questions in the database.

Please confirm that you can provide a [BenefitCost Analysis](#) that validates the cost-effectiveness of the request.

For any PDM projects designated for funding in the FY 2024 Homeland Security Appropriations Act, the respective State or Territorial Administrative Agency, or Tribal government, must submit an application to FEMA and serve as the administrative agent for the grant on behalf of the entities responsible for the project (grant subrecipients).

CPF funding in the FY 2023 House bill ranged between \$320,482 and \$10,000,000 for individual PDM grants.

Required Questions:

- Please share a letter from the appropriate State or Territorial Administrative Agency, or Tribal government, confirming project eligibility and their willingness to administer the grant.
- Please share letters of support from local government entities demonstrating community support for the project(s).
- Is the proposed project eligible under the most recent Notice of Funding Opportunity (NOFO) for the PDM grant program?
- Can the requesting jurisdiction provide the required non-federal cost share (25% of total eligible activity costs, or 10% for small, impoverished communities), as detailed in the NOFO?
- If less than the requested amount is provided as the federal share, would additional state, local, or other eligible funding sources be available to support the project?
- Can the requesting jurisdiction provide a Benefit-Cost Analysis (BCA) or other documentation that validates cost-effectiveness, which is defined by FEMA as having a BCA of 1.0 or greater? A non-FEMA BCA methodology may only be used if preapproved by FEMA in writing.
- Consistent with the NOFO for PDM grants, is the proposed activity consistent with the goals and objectives in both the state or tribal hazard mitigation plan (44 CFR Part 201) and the local hazard mitigation plan of the jurisdiction in which the project is located?
- If so, what is the FEMA approval date and when will the plan expire?
- Please confirm your project does not include unallowable activities for PDM grants (e.g., dredging waterways; the purchase of emergency vehicles and equipment).
- Describe how the proposed activity expands mitigation capacity rather than repair and maintenance of existing capacity.
- How will the project provide long-term, permanent risk-reduction, as opposed to simply supporting Short-term, temporary emergency protective measures?
- Can you describe how the activity supports the needs of people disproportionately at risk of harmful impacts of natural disasters?
- Do you specifically encourage the adoption and enforcement of the latest disaster resistant building codes?
- Provide a clear and detailed description of the proposed mitigation activity.
- How will the mitigation activity be implemented?
- Who will manage and complete the mitigation activity?
- What risks will remain from natural hazards after project implementation (i.e., residual risk)?

- How does the activity reduce the risk to individuals and property for future natural hazards, while reducing reliance on federal funding for future disasters?
- Has the project been submitted, selected, or awarded funding in current or previous PreDisaster Mitigation (PDM), Building Resilient Infrastructure and Communities (BRIC), 7 Flood Mitigation Assistance (FMA), or Hazard Mitigation Grant Program fiscal year grant cycles?
- If so, what is the subgrant ID, or which grant program and fiscal year was the application submitted, selected, or awarded funding?
- Has your office or the community consulted with state, county, or local emergency management officials, or with FEMA about the proposed project?
- If so, please provide the name of the official, the agency they represent, and their contact information.

Emergency Operations Center Grants:

FEMA's EOC grants improve emergency management and preparedness capabilities by supporting flexible, sustainable, secure, strategically located, and fully interoperable [EOCs](#) with a focus on addressing identified deficiencies and needs. According to the National Fire Protection Association, an EOC is defined as a "facility or capability from which direction and control is exercised in an emergency. This type of center or capability is designated to ensure that the capacity exists for leadership to direct and control operations from a centralized facility or capability in the event of an emergency."

Please make sure your proposed project meets FEMA's requirements as detailed in the most recent [NOFO](#).

For any EOC projects designated for funding in the FY 2024 Homeland Security Appropriations Act, the respective State or Territorial Administrative Agency, or Tribal government, must submit an application to FEMA and serve as the administrative agent for the grant on behalf of the entities responsible for the project (grant subrecipients).

CPF funding in the FY 2023 House bill ranged between \$158,176 and \$3,000,000 for individual EOC grants.

Required Questions:

- Does the EOC request involve the construction or upgrading of a multipurpose facility, such as a public safety building or police/fire station?
 - If yes, does the CPF request limit costs to only the square footage directly associated with the EOC and not the entire facility?
- Please share a letter from the appropriate State or Territorial Administrative Agency, or Tribal government, confirming project eligibility and their willingness to administer the grant.
- Please share letters of support from local government entities demonstrating community support for the project(s).

- Is the proposed project eligible under the most recent Notice of Funding Opportunity (NOFO) for the Emergency Operations Center (EOC) Grant Program?
- Is the requested federal funding amount limited to a maximum of 75% of the total project cost?
- Can you provide the required 25% non-federal cost share?
- If less than the requested amount is provided as the federal share, would additional state, local, or other eligible funding sources be available to support the project?
- Have you reviewed the funding restrictions and allowable costs section of the NOFO for EOC grants?
- Have you confirmed the funding request does not include unallowable activities for EOC grants (e.g., personnel costs; replacement radios for police, fire, and other response personnel; generators for emergency shelters; any equipment that is portable and does not directly support the functional and operational capabilities of an EOC)?
- Is the proposed project related to a structure or facility that meets the definition of an EOC, to include supporting incident management (on-scene) operations across multiple functional disciplines and/or jurisdictions?
- For EOC projects that involve construction or upgrading of multipurpose facilities, such as public safety facilities, police/fire stations, etc., EOC grants may only be used for those parts of the facility that are directly associated with the EOC. Does the requested federal funding amount reflect the proportionate facility construction cost, which is generally based on the square footage (floor space) of the EOC compared to the square footage of the entire facility?
- Have you consulted with state, county, or local emergency management officials, or with FEMA about the proposed project?
- If so, please provide the name of the official, the agency they represent, and their contact information.

INTERIOR, ENVIRONMENT AND RELATED APPROPRIATIONS

Accounts

Environmental Protection Agency – State and Tribal Assistance Grants (STAG):

This is the only account under Interior and Environment. Certain clean water and drinking water infrastructure projects will be eligible for funding under this account.

These projects include construction of and modifications to municipal sewage treatment plants and drinking water treatment plants. The Appropriations Committee will be limiting STAG infrastructure grants only to projects that are publicly owned or owned by a non-profit entity and that are otherwise eligible for the funding from that state's Clean Water or Drinking Water State Revolving Funds (SRF) loan programs.

When submitting EPA STAG Community Project Funding requests, please be aware of the following guidance:

- **Ban on for-profit recipients and privately-owned projects.** The Committee will not fund projects to for-profit entities and privately-owned projects are **NOT** eligible for infrastructure grants, even if they are otherwise eligible for assistance under a SRF program.
- **State, municipal, local, territorial, or Tribal governmental entities as grantees.** Public entities should be considered as the primary grantees to oversee the completion of the project. For STAG water infrastructure projects, States have Intended Use Plans (IUPs) with drinking water and wastewater projects that have already been vetted by governmental officials.
- **Non-profits as grantees.** Non-profits will be considered on a limited basis. Please provide evidence that you are a non-profit organization as described under section 501(c)(3) of the Internal Revenue Code of 1986. Many water projects often partner with non-profit entities to complete projects. Therefore, on a limited basis, projects that are directed to non-profits with an inherently governmental function.
- **Federal Nexus.** The Committee will only fund projects with purposes authorized by Federal law:
 - Clean water/wastewater projects: Title VI of the Clean Water Act, 33 U.S.C 1381 et seq.
 - Drinking water projects: Section 1452 of the Safe Drinking Water Act, 42 U.S.C. 300j12.
- **Matching requirements.** There is a minimum 20% cost share requirement for any portion of a project funded through a STAG infrastructure grant and the Committee will not waive matching requirements:

- For example, a \$1 million project could receive a maximum of \$800,000 from the Federal government, with the remaining \$200,000 the responsibility of the grantee.
- In almost all cases, other Federal funds cannot be used to meet this 20% cost share. However, assistance provided by a SRF does count towards the project's matching requirement.
- This does not mean that matching funds must be in-hand prior to requesting a project, but that local officials must have a plan to meet such requirements in order for such a project to be viable.
- Is this a Clean Water SRF project or a Drinking Water SRF project?
- Is the project on your State's most recently finalized Clean Water/Drinking Water SRF Intended Use Plan (IUP)?
- Has the project received Federal funds previously? If so, please describe.
- Does the project have (or expects to have within 12 months) its 20% cost share requirement?
- Given the Federal nexus requirement, does the project help meet or maintain Clean Water Act/Safe Drinking Water Act standards? If so, please describe.

In FY 2023, most EPA STAG infrastructure projects funded in the House bill ranged from \$45,000 - \$5,000,000.

More info below.

STAG projects have very specific eligibility requirements, and the Committee will not consider projects that do not meet those requirements. The following lists some of the project types that are ineligible for STAG funding:

Projects that are NOT generally eligible for STAG Grants

| Clean Water / Wastewater | | Drinking Water | |
|---------------------------------|--|-----------------------|--|
| 1. | Land , except for projects described in the subsequent table under eligibility #11. | 1. | Dams or rehabilitation of dams. |
| 2. | Operations and maintenance costs. | 2. | Operations and maintenance costs. |
| 3. | Non-municipal point source control. | 3. | Water rights , except if the water rights are owned by a system that is being purchased through consolidation as part of a capacity development strategy or if the water rights purchase is covered by EPA's DWSRF Class Deviation for Water Rights 2019. |
| 4. | Acid rain drainage correction. | 4. | Reservoirs , except for finished water reservoirs and those reservoirs that are part of the treatment process and are located on the property where the treatment facility is located. |
| 5. | Ambient water quality monitoring. | 5. | Laboratory fees for monitoring. |
| 6. | Flood Control Projects , unless the project is otherwise managing, reducing, treating, or recapturing stormwater. | 6. | Projects needed mainly for fire protection. |
| 7. | Privately owned sewer pipes. | 7. | Projects for systems that lack adequate technical, managerial, and financial capability, unless assistance will ensure compliance. |
| | | 8. | Projects for systems in significant non-compliance, unless funding will ensure compliance. |
| | | 9. | Projects primarily intended to serve future growth. |

| Projects that ARE generally eligible for STAG Grants | | | |
|---|---|----|--|
| | Clean Water / Wastewater | | Drinking Water |
| 1. | Wastewater treatment plants, including sludge handling facilities: Upgraded (increase in treatment level) or expanded (increase in treatment capacity) facilities, including biological facilities, mechanical, a lagoon system, a land treatment system, or individual on-site systems. | 1. | Facilitate compliance with national primary drinking water regulations or address serious risks to public health including non-regulated contaminants (i.e., PFAS). |
| 2. | Collector Sewers: Small sewers that convey wastewater from residences, commercial establishments, and industrial sites to larger interceptor sewers. | 2. | Rehabilitate or develop water sources (excluding reservoirs, dams, dam rehabilitation and water rights) to replace contaminated sources. |
| 3. | Interceptor Sewers: Large sewers that convey wastewater from collector sewers directly to a wastewater treatment facility. | 3. | Install or upgrade treatment facilities. |
| 4. | Sewer Pipes: Rehabilitation is eligible only if pipes are publicly owned. | 4. | Install or upgrade storage facilities, including finished water reservoirs, to prevent microbiological contaminants from entering the water system. |
| 5. | Outfall Sewer: A sewer that conveys treated wastewater from a wastewater treatment facility to the receiving waters (i.e., a river, stream, lake, ocean, etc.). | 5. | Install or replace transmission and distribution pipes to prevent contamination caused by leaks or breaks in the pipe or improve water pressure to safe levels. |
| 6. | Storm Water Management: Measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water (i.e., storm sewers, green infrastructure, etc.). | 6. | Projects to consolidate water supplies – for example, when individual homes or other public water supplies have a water supply that is contaminated, or the system is unable to maintain compliance for financial or managerial reasons – are eligible for DWSRF assistance. |
| 7. | Combined sewer overflow (CSO) control and sanitary sewer overflow (SSO) control: Combined sewers are sewers that convey both wastewater and storm water and may overflow during periods of heavy rain. The costs to correct CSO and SSO overflow problems are eligible. | 7. | Land is eligible only if it is integral to a project that is needed to meet or maintain compliance and further public health protection. |

| Projects that ARE generally eligible for STAG Grants | | | |
|---|---|----|--|
| | Clean Water / Wastewater | | Drinking Water |
| 1. | Wastewater treatment plants, including sludge handling facilities: Upgraded (increase in treatment level) or expanded (increase in treatment capacity) facilities, including biological facilities, mechanical, a lagoon system, a land treatment system, or individual on-site systems. | 1. | Facilitate compliance with national primary drinking water regulations or address serious risks to public health including non-regulated contaminants (i.e., PFAS). |
| 2. | Collector Sewers: Small sewers that convey wastewater from residences, commercial establishments, and industrial sites to larger interceptor sewers. | 2. | Rehabilitate or develop water sources (excluding reservoirs, dams, dam rehabilitation and water rights) to replace contaminated sources. |
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| 5. | Outfall Sewer: A sewer that conveys treated wastewater from a wastewater treatment facility to the receiving waters (i.e., a river, stream, lake, ocean, etc.). | 5. | Install or replace transmission and distribution pipes to prevent contamination caused by leaks or breaks in the pipe or improve water pressure to safe levels. |
| 6. | Storm Water Management: Measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water (i.e., storm sewers, green infrastructure, etc.). | 6. | Projects to consolidate water supplies – for example, when individual homes or other public water supplies have a water supply that is contaminated, or the system is unable to maintain compliance for financial or managerial reasons – are eligible for DWSRF assistance. |
| 7. | Combined sewer overflow (CSO) control and sanitary sewer overflow (SSO) control: Combined sewers are sewers that convey both wastewater and storm water and may overflow during periods of heavy rain. The costs to correct CSO and SSO overflow problems are eligible. | 7. | Land is eligible only if it is integral to a project that is needed to meet or maintain compliance and further public health protection. |

| | | | |
|-----|--|----|--|
| 8. | Infiltration/Inflow Correction: Construction activities that prevent surface water or groundwater from entering the sewer system. | 8. | Project planning, design, and other related costs. |
| 9. | Water Security: These projects include installation or upgrade of physical security infrastructure such as lighting, fencing, monitoring and access control. Also, cybersecurity measures, installation of safer treatment technologies, and more secure storage of on-site treatment. | | |
| 10. | Septic Tanks: Remediation, rehabilitation, removal and replacement of failing tanks are eligible, as well as installation of new tanks where none had previously existed. | | |
| 11. | Land: The leasing and fee-simple purchase of land, including surface and subsurface easements, needed to locate eligible municipal or tribal projects, and land integral to the treatment process (e.g., land for effluent application or recharge basins), and a place to store equipment and material during POTW construction. Municipal purchase of land and/or conservation easements for source water protection are also eligible. | | |
| 12. | Water Reuse: Projects involving the municipal reuse or recycling of wastewater, stormwater, or subsurface drainage water. This includes but is not limited to the purchase and installation of treatment equipment sufficient to meet reuse standards, distribution systems to support effluent reuse, recharge transmission lines, injection wells, and equipment to reuse effluent (e.g., gray water, condensate, and wastewater effluent reuse systems). | | |
| 13. | Capital Nonpoint Source Pollution Control Projects: E.g., river or streambank restoration, agricultural best management practices (i.e., buffer strips, manure containment structures), wetlands restoration, etc. | | |

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES

Accounts

Department of Transportation, Transit Infrastructure Projects:

Transit Infrastructure Projects are public transportation capital projects eligible under chapter 53 of title 49 of the United States Code. Eligible capital projects are described under section 5302(4) of title 49, United States Code. **All projects must be:**

- Transit capital projects or project-specific planning/design for a transit capital project;
- Supported by the state, local governmental authority, or Tribal government that would administer the project. Inclusion on a Statewide Transportation Improvement Plan (STIP) or Transportation Improvement Plan (TIP) would satisfy this requirement; and
- Sponsored by designated recipients, States (including territories and the District of Columbia), local governmental authorities, and/or Indian tribes.

Public transportation or transit is defined in section 5302(15) and (22) of title 49, United States Code, as regular, continuing shared-ride surface transportation that is open to the general public or open to a segment of the general public defined by age, disability, or low income, and does not include intercity passenger rail transportation, intercity bus service, charter bus service, school bus service, sightseeing service, courtesy shuttle service for patrons of one or more specific establishments, or intra-terminal or intra-facility shuttle services.

Activities that are administrative in nature are **not** eligible for CPF even if they are eligible expenses under the statutory citation. These include but are not limited to general operating expenses, joint development projects, and planning activities authorized under sections 5303, 5304, and 5305 of title 49, United States Code.

Additionally, most projects will be subject to various Federal requirements such as competition in contracting, Buy America, and the National Environmental Policy Act.

The cost-share requirements are defined in statute. ***In general, transit capital projects typically require 20 percent non-federal share.***

Any projects for which the sponsor is seeking or will seek a Capital Investment Grants (CIG) grant will not be considered.

Requirements:

- Demonstration of community support for a project is crucial for determining whether it should receive funding.

- Projects must have substantial evidence of community support to be considered for funding. Community support documentation can include: letters from elected officials and community groups, local transportation or community development plans, publications (including news articles), and any other documents that demonstrate public support for the project.
 - Total project cost and amount requested for the CPF.
 - Does the project require an environmental review? If so, what is the status and/or outcome of the review under the National Environmental Policy Act (NEPA)?
 - Does the project have other public (federal, state, local) and/or private funds committed to meet match or cost-share requirements for costs related to construction, operations, and maintenance? If yes, list sources and amounts of funds.
 - If the project receives less than requested for the transit infrastructure projects, will the project proceed without waiting for additional funding sources?
 - Does the project intend to apply for any DOT discretionary programs before proceeding? If yes, will the project sponsor still proceed if not selected?
 - Provide a history of federal funding for the project, if any. Include formula funds and any discretionary grants.
 - Where is the project in the construction process?
 - Estimated start and completion dates.
 - Is the project on a state, tribal or territorial transportation improvement plan (STIP) or a transportation improvement plan (TIP) as of 12/31/2022? If yes, provide a link to the plan.
 - Provide the STIP or TIP ID Number and specify which plan the ID Number comes from.
- Example below:

| DIVISION 1 | | | | | | |
|-----------------------|-------------------|--|-------------------|---------------------------------|----------------------------------|--|
| ROUTE/CITY COUNTY | ID NUMBER | LOCATION / DESCRIPTION | LENGTH (Miles) | TOTAL PROJ COST (THOU) | PRIOR YEARS COST (THOU) | |
| RURAL PROJECTS | | | | | | |
| NC 45 BERTIE | R-5809 H141741 | HERTFORD COUNTY LINE TO WASHINGTON COUNTY LINE. MODERNIZE ROADWAY. | 24.8 | 23589 | 2219 | |

The STIP or TIP also can be used for the location/description of a project, the total project cost, and information about where funding comes from.

Department of Transportation, Highway Infrastructure Projects:

Highway Infrastructure Projects are capital projects eligible under title 23 of the United States Code. Eligible projects are described under Section 133(b) of title 23, United States Code, as amended by title III of division A of the Infrastructure Investment and Jobs Act. Tribal and territorial capital projects authorized under chapters 1 and 2 of title 23, United States Code, are also eligible.

All projects must be:

- Capital projects or project-specific design for a capital project.
- Supported by the state or Tribal government that would administer the project. Inclusion on a Statewide Transportation Improvement Plan (STIP) or Transportation Improvement Plan (TIP) would satisfy this requirement.
- Administered by public entities or Tribal entities.

Activities that are administrative in nature are **not** eligible for CPF even if they are eligible expenses under the statutory citation. These include general operating expenses, and planning activities required under sections 134 and 135 of title 23, United States Code. Applicants should be aware that Highway Infrastructure Projects have a non-Federal cost share calculated on a sliding scale. The [cost-share requirements](#) are defined in statute and vary based on activity, location, and other factors.

Additionally, most projects will be subject to various Federal requirements such as competition in contracting, Buy America, and the National Environmental Policy Act.

Requirements:

- Demonstration of community support for a project is crucial for determining whether it should receive funding.
 - Projects must have substantial evidence of community support to be considered for funding. Community support documentation can include: letters from elected officials and community groups, local transportation or community development plans, publications (including news articles), and any other documents that demonstrate public support for the project.
- Total project cost and amount requested for the CPF.
- Type of project eligible under 23 USC 133(b) (Surface Transportation Block Grant Program); 23 USC 201 (Federal Lands and Tribal Transportation Programs); 23 USC 202 (Tribal Transportation Program); or 23 USC 165 (Territorial and Puerto Rico Highway Program).
- Estimated start and completion dates.
 - ***NOTE: Appropriated funds for these projects cannot be used for costs incurred prior to project authorization, which occurs when a project sponsor signs a grant agreement with or receives an allotment by a federal agency.***
- Has the request been submitted to a federal agency for non-earmarked funds, or to another Subcommittee or Committee this fiscal year? If yes, which one(s)?
- Please provide a history of federal funding for the project, if any. Include both formula funds and any discretionary grants.
- Does the project have other public (state, local) and/or private funds committed to meet match or cost-share requirements for costs related to construction, operations, and maintenance? If so, what is the source and amount of those funds?
- If the request does not fully fund the project, describe where the remaining funding comes from to complete the project.
- Is the project on a STIP or a TIP? If yes, please provide a link to the plan.

- Please provide the STIP or TIP ID Number and specify which plan the ID Number comes from. Example below:

DIVISION 1

| ROUTE/CITY COUNTY | ID NUMBER | LOCATION / DESCRIPTION | LENGTH (Miles) | TOTAL PROJ COST (THOU) | PRIOR YEARS COST (THOU) |
|-----------------------|--------------|---|-------------------|---------------------------------|----------------------------------|
| <u>RURAL PROJECTS</u> | | | | | |
| NC 45 | R-5809 | HERTFORD COUNTY LINE TO | 24.8 | 23589 | 2219 |
| BERTIE | H141741 | WASHINGTON COUNTY LINE. MODERNIZE ROADWAY. | | | |

Department of Transportation, Airport Improvement Program (AIP):

AIP Community Project Funding requests are intended to enhance airport safety, capacity, and security, and environmental concerns.

All projects must be:

- AIP eligible in accordance with 49 U.S.C. 47100 et seq., and FAA policy and guidance.
- Included in the FAA's National Plan of Integrated Airport Systems (NPIAS).
- Supported broadly by local stakeholders, including residents, businesses, and elected officials.
- Administered by an airport and/or airport sponsor.

Projects will be subject to various Federal requirements such as competition in contracting, Buy America, and the National Environmental Policy Act. The potential grantee should reach out to FAA Regional District Offices to ensure that projects will be in compliance with these mandates.

For large and medium primary hub airports, the grant covers 75 percent of eligible costs (or 80 percent for noise program implementation). For small primary, reliever, and general aviation airports, the grant covers a range of 90-95 percent of eligible costs, based on statutory requirements. Specific cost share requirements should be understood by the grantee, and verified by the FAA Regional District Office, along with other requirements to receive FAA funding.

Requirements:

- Does the project have demonstrated community support?
 - Projects must have substantial evidence of community support to be considered for funding. Community support documentation can include: letters from elected officials and community groups, local transportation or community development plans, publications (including news articles), and any other documents that demonstrate public support for the project.

- Has the airport sponsor provided assurances that the project is eligible under AIP statutes? Airport sponsors should engage with their Federal Aviation Administration Airport District Offices to ensure eligibility under statutory requirements.
- What are the benefits of this project and why is it a priority?
- Amount requested for the Community Project Funding for fiscal year 2024, and the total project cost.
- Estimated start and completion dates.
- Does the project have other public (federal, state, local) and/or private funds for the required cost-share and committed for the forecasted operations and maintenance costs? What is the source and amount of those funds?
- Has the airport submitted a grant application for this same project to FAA?

Department of Transportation, Port Infrastructure Development Program:

*Please inquire with our office if you are interested in this program.

Department of Transportation, Consolidated Rail Infrastructure and Safety Improvements (CRISI):

This is a new Community Project Funding account for Fiscal Year 2024. Rail infrastructure projects are capital projects eligible under the CRISI program authorized in section 22907 of title 49, United States Code. CRISI provides grants to assist in financing the cost of improving passenger and freight rail transportation systems.

All projects must be:

- Rail capital projects or systems planning for a rail capital project;
- Supported by the state, local governmental authority, or Tribal government that would administer the project; and
- Sponsored by public entities or Tribal entities.

Activities that are administrative in nature are **not** eligible for CPF even if they are eligible expenses under the statutory citation. These include but are not limited to general operating expenses, rail-related research, and workforce activities.

Projects will be subject to various Federal requirements such as competition in contracting, Buy America, and the National Environmental Policy Act.

For each CRISI request, Members will need to provide specific information through the electronic database. The database will include the following questions to assist the Subcommittee in vetting and selecting projects. The Chair may require additional information from your office.

As a reminder, for-profit entities are **not** eligible for CPF funding. The recipient **must** be a public entity such as a state department of transportation, public agency, or not-for-profit rail carrier that provides intercity rail passenger transportation, etc.

Requirements:

- Demonstration of community support.
- Amount requested for the Community Project Funding for fiscal year 2024, and the total project cost.
- General description and scope of project, including benefits and explanation for why project is a priority.
- Does the project have other public (federal, state, local) and/or private funds committed to meet match or cost-share requirements for costs related to construction? If so, what is the source and amount of those funds?
 - The cost-share requirements are defined in statute. Rail capital projects under the CRISI program require a minimum 20 percent non-federal share.
- If the project receives less than requested, will the project still proceed without waiting for additional funding sources?
- Provide a history of federal funding for the project, if any. Include formula funds and any discretionary grants.
- Where is the project in the construction process?
- Estimated start and completion dates.
- Is the project on a state rail plan as of 12/31/2022? If yes, provide a link to the plan and specify page number.
- Is the project included in a grade crossing action plan? If yes, provide a link to the plan and specify page number.

Department of Housing and Urban Development, Community Development Fund - Economic Development Initiative (EDI):

EDI Community Project Funding within the Community Development Fund account of the HUD title is intended for economic and community development activities, consistent with statutory and additional Committee requirements.

Project requests for the FY24 Economic Development Initiative program must be eligible under one or more of the following criteria of the Community Development Block Grant (CDBG) program: 42 U.S.C. 5305(a)(1), 5305(a)(2), 5305(a)(4), 5305(a)(5); which are as follows—but limited to—land or site acquisition, demolition or rehabilitation; blight removal; and construction and capital improvements of public facilities, except for “buildings used for the general conduct of government.”¹ Programmatic and operational expenses are **not** eligible.

- **5305(a)(1)** – the acquisition of real property (including air rights, water rights, and other interests therein) which is (A) blighted, deteriorated, deteriorating, undeveloped, or inappropriately developed from the standpoint of sound community development and growth; (B) appropriate for rehabilitation or conservation activities; (C) appropriate for the preservation or restoration of historic sites, the beautification of urban land, the conservation of open spaces, natural resources, and scenic areas, the provision of recreational opportunities, or the guidance of urban development; (D) to be used for the

provision of public works, facilities, and improvements eligible for assistance under this chapter; or (E) to be used for other public purposes;

- **5305(a)(2)** – the acquisition, construction, reconstruction, or installation (including design features and improvements with respect to such construction, reconstruction, or installation that promote energy efficiency) of public works, facilities (except for buildings for the general conduct of government), and site or other improvements;
- **5305(a)(4)** – clearance, demolition, removal, reconstruction, and rehabilitation (including rehabilitation which promotes energy efficiency) of buildings and improvements (including interim assistance, and financing public or private acquisition for reconstruction or rehabilitation, and reconstruction or rehabilitation, of privately owned properties, and including the renovation of closed school buildings);
- **5305(a)(5)** – special projects directed to the removal of material and architectural barriers which restrict the mobility and accessibility of elderly and handicapped persons;

The following projects will be given preference:

- Water or sewer infrastructure projects, which are not otherwise eligible to be funded as CPFs in EPA STAG (Interior bill) or Rural Water and Waste (Agriculture bill);
- Local road infrastructure, which is not otherwise eligible as a CPF in Highways (in this bill);
- Streetscape improvements;
- Public or non-profit housing rehabilitation, housing development financing, residential conversions, and neighborhood revitalization projects, which would increase housing supply and/or improve housing affordability in the local community;
- Projects with a clear economic development benefit, such as workforce training centers and manufacturing incubators;
- Projects that meet a compelling local need consistent with the statutory purposes. For example, food banks in economically disadvantaged neighborhoods, youth and senior centers, and multipurpose community centers.

The following types of projects are **not** eligible for CPF funding:

- Museums, commemoratives, memorials;
- Swimming pools, water parks, golf courses;
- Healthcare facilities;
- Venues for entertainment purposes – e.g., theaters and performing arts venues.

Due to the statutory restriction on using funds for “buildings for the general conduct of government,” things like courthouses and town halls **cannot** be funded.

Requirements:

- Projects require substantial evidence of community support to be considered for funding.
- EDI projects, like all projects funded by HUD, are subject to requirements under the National Environmental Policy Act (NEPA), HUD’s NEPA-implementing regulations at 24 CFR Part 50 or 24 CFR Part 58, and all applicable federal environmental and historic preservation laws, regulations, and Executive Orders. An environmental review must be

completed before HUD funds and new commitments of non-HUD funds can be used on a project (24 CFR 58.22).

- Administered by state, local, or tribal governmental entities or non-profit 501(c)(3) organizations.
- As a reminder, for-profit entities **are not** eligible for Community Project Funding.
- Projects submitted under 42 U.S.C. 5305(a)(1)(C) will be disfavored if the only or primary purpose of the project is “beautification” or historic preservation, without evidence of other community development or economic development benefits.
- What are the benefits of this project and why is it a priority?
- Amount requested for the Community Project Funding and the total project cost.
- Who are the community partners participating in this project? Have local community development organizations with prior experience with HUD programs been consulted?
- Has the request been submitted to another Subcommittee or Committee this fiscal year? If yes, which one(s)?
- Is this project consistent with the primary objective of the community development program? Please describe who the project is intended to benefit.

EDI projects are **not** eligible for the reimbursement of expenses for soft costs (planning, administrative) incurred prior to the completion of a grant agreement between HUD and the grantee; a grant agreement and a completed environmental review are necessary for reimbursement of hard costs (construction activities).